



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

Mail Code 5401G

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

November 19, 2014

Mr. Anthony Adragna
Bloomberg BNA
1801 South Bell Street
Arlington, VA 22202

Re: Freedom of Information Act Request: EPA-HQ-2015-000275

Dear Mr. Adragna:

This letter is in response to your Freedom of Information Act (FOIA) inquiry dated October 7, 2014, requesting all internal correspondence related to a \$1 billion transfer from the Leaking Underground Storage Tank (LUST) Trust Fund to the Highway Trust Fund. This transfer was included as part of the Highway and Transportation Funding Act of 2014. Based on a telephone conversation with Barbara Grimm-Crawford of my staff, it is our understanding that you are requesting documents relating to the policy and program implications that this transfer may have on the LUST Trust Fund and not the financial aspects (e.g., the mechanics of the transfer).

We conducted an extensive search and are releasing one document that responds to your request under the FOIA law. (We are withholding, pursuant to the exemption in 5 U.S.C. § 552(b)(5), certain documents that reflect internal discussions.) In addition, we would like to provide you with supplemental information on this topic that you may find helpful: 1) copy of the June 10, 2014, letter from three organizations (which represent the regulated underground storage tank community) to the U.S. Senate Committee on Finance; 2) copy of the Environmental Protection Agency's (EPA's) August 11, 2014, response to the Wall Street Journal; and 3) the Agency's congressional justifications that describe the impacts to the underground storage tank program from annual appropriation levels. You can refer to pages 742, 744, and 752 at (<http://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=P100GJVE.txt>).

We did our best to provide the information you requested. However, if you believe that we have not fully responded to your request, you may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, D.C. 20460 (U.S. Postal Service Only), E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, D.C. 20001. Your appeal must be made in writing,

and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the request number listed above. For quickest possible handling, the appeal letter and its envelope should be marked "*Freedom of Information Act Appeal*."

If you need additional data or have questions about our response to your request, please contact Ray Worley of EPA's Office of Underground Storage Tanks at 703-603-7172, or at worley.ray@epa.gov.

Sincerely,



Carolyn Hoskinson

Director

Office of Underground Storage Tanks